IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 2029 of 2005

Between:

Khaja Hasmuddin, @ Mamu, S/o.Khaja Ali,
R/o.H.No.10-2-347, Asifnagar, Hyderabad.

..... PETITIONER

AND

1 The Assistant Commissioner of police, Asifnagar Division, Asifnagar, Hyderabad.
2 The Inspector of police, Humayunagar police station, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly a writ in the nature of writ of Mandamus declaring the action of the respondents in re-opening the rowdy sheet against the petitioner as illegal and arbitrary and consequently direct the respondents herein to close the same, and to pass such other order or orders.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

The petitioner seeks a writ of *mandamus* declaring the action of the respondents in re-opening the rowdy sheet against him as illegal and arbitrary. He states that the rowdy sheet was opened against him in the context of pendency of Crime No.200 of 1996 and S.C.No.403 of 1998. He contends that both the cases ended in his favour and in that view of the matter, the rowdy sheet was closed through proceedings dated 31.05.2001. He alleges that the rowdy sheet is said to have been re-opened once again without there being any basis.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Opening of rowdy sheet is permissible only when cases involving grave crimes are pending against the citizen concerned. In the instant case, the rowdy sheet, which was opened against the petitioner in the context of pendency of two cases referred to above, was closed on his being acquitted. The rowdy sheet

against the petitioner could have been re-opened, if only he was involved in fresh instances of criminal activities.

The learned Government Pleader for Home, on instructions, submits that the rowdy sheet against the petitioner is not re-opened and what is undertaken by them is only a process of verification to know the conduct of the petitioner.

Recording the statement of the learned Government Pleader, the writ petition is closed directing that the respondents shall not re-open or open any rowdy sheet against the petitioner, without there being any basis. There shall be no order as to costs.

21-02-2005

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To

1 The Assistant Commissioner of police, Asifnagar Division, Asifnagar, Hyderabad.

2 The Inspector of police, Humayunagar police station, Hyderabad.

3 Two C.Cs. to the Government Pleader for Home, High Court of A.P., Hyderabad, (OUT).

4 Two C.D. Copies.